



General Assembly

Amendment

February Session, 2014

LCO No. 5319

HB0556605319HDO

Offered by:

REP. FLEISCHMANN, 18th Dist.

SEN. STILLMAN, 20th Dist.

REP. ACKERT, 8th Dist.

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To: Subst. House Bill No. 5566

File No. 452

Cal. No. 266

"AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES."

1 Strike section 8 in its entirety and insert the following in lieu thereof:

2 "Sec. 8. Subsection (a) of section 10-221q of the general statutes is
3 repealed and the following is substituted in lieu thereof (*Effective July*
4 *1, 2014*):

5 (a) Except as otherwise provided in subsection (b) of this section,
6 each local and regional board of education and the governing
7 authority for each state charter school, interdistrict magnet school and
8 endowed academy approved pursuant to section 10-34, shall permit at
9 schools under its jurisdiction the sale of only the following beverages
10 to students from any source, including, but not limited to, school
11 stores, vending machines, school cafeterias, and any fund-raising
12 activities on school premises, whether or not school sponsored: (1)

13 [Milk that may be flavored but contain] Low-fat milk that is
14 unflavored or fat-free milk that is flavored or unflavored that contains
15 no artificial sweeteners, nonnutritive sweeteners or sugar alcohols, no
16 added sodium and no more than four grams of sugar per ounce, (2)
17 nutritionally equivalent nondairy [milks] milk substitutes permitted
18 under the school meal requirements of the United States Department
19 of Agriculture, such as soy or rice milk [, which] that may be flavored
20 but contain no artificial sweeteners, nonnutritive sweeteners or sugar
21 alcohols, no more than four grams of sugar per ounce, no added
22 sodium, no more than thirty-five per cent of calories from fat per
23 portion and [no more] less than ten per cent of calories from saturated
24 fat per portion, (3) one hundred per cent fruit juice, vegetable juice or
25 combination of such juices, containing no added sugars, sweeteners,
26 [or] artificial sweeteners, sugar alcohols and no added sodium, (4)
27 beverages that contain only water and fruit or vegetable juice and have
28 no added sugars, sweeteners, [or] artificial sweeteners, nonnutritive
29 sweeteners or sugar alcohols, no added sodium and meet the nutrition
30 requirements prescribed by the Department of Education, and (5)
31 water [, which] that may be flavored but contain no added sugars,
32 sweeteners, artificial sweeteners, sugar alcohols, added sodium or
33 caffeine. Portion sizes of beverages, other than water as described in
34 subdivision (5) of this subsection, that are offered for sale pursuant to
35 this subsection shall not exceed [twelve] eight fluid ounces for
36 elementary schools and twelve fluid ounces for middle and high
37 schools."

38 Strike section 11 in its entirety and renumber the remaining sections
39 and internal references accordingly.

40 After the last section, add the following and renumber sections and
41 internal references accordingly:

42 "Sec. 501. (NEW) (*Effective July 1, 2014*) (a) For purposes of this
43 section:

44 (1) "Internship" means supervised practical training of a student

45 intern that is comprised of curriculum and workplace standards
46 approved by the Department of Education and the Labor Department;

47 (2) "Internship provider" means a person, as defined in section 1-79
48 of the general statutes, who provides an internship to a student intern
49 pursuant to an agreement with (A) a local or regional board of
50 education that operates an agricultural science and technology
51 education center, and (B) the local or regional board of education
52 otherwise responsible for educating such student intern if such board
53 of education does not maintain an agricultural science and technology
54 education center; and

55 (3) "Student intern" means a student enrolled in an agricultural
56 science and technology education center participating in an internship
57 offered or provided by an internship provider.

58 (b) No internship provider shall be liable to a student intern or a
59 parent or guardian of a student intern for civil damages for any
60 personal injury that results from acts or omissions of such internship
61 provider offering or providing an internship to a student intern that
62 may constitute ordinary negligence, provided such internship provider
63 exercised reasonable care in the provision of the internship and was in
64 compliance with any applicable safety and health standards
65 established under any federal, state and local laws and regulations and
66 any industry codes. The immunity provided in this subsection does
67 not apply to acts or omissions constituting gross, reckless, wilful or
68 wanton misconduct.

69 Sec. 502. Subsection (b) of section 10-220a of the 2014 supplement to
70 the general statutes is repealed and the following is substituted in lieu
71 thereof (*Effective July 1, 2014*):

72 (b) Not later than a date prescribed by the commissioner, each local
73 and regional board of education shall establish a professional
74 development and evaluation committee. [consisting of certified
75 employees] Such professional development and evaluation committee

76 shall consist of (1) at least one teacher, as defined in section 10-144d,
77 selected by the exclusive bargaining representative for certified
78 employees chosen pursuant to section 10-153b, (2) at least one
79 administrator, as defined in section 10-144e, selected by the exclusive
80 bargaining representative for certified employees chosen pursuant to
81 section 10-153b, and (3) such other school personnel as the board
82 deems appropriate. [, including representatives selected by the
83 exclusive bargaining representative for such employees chosen
84 pursuant to subsection (b) of section 10-153.] The duties of such
85 committees shall include, but not be limited to, participation in the
86 development or adoption of a teacher evaluation and support program
87 for the district, pursuant to section 10-151b, and the development,
88 evaluation and annual updating of a comprehensive local professional
89 development plan for certified employees of the district. Such plan
90 shall: [(1)] (A) Be directly related to the educational goals prepared by
91 the local or regional board of education pursuant to subsection (b) of
92 section 10-220, [(2)] (B) on and after July 1, 2011, be developed with full
93 consideration of the priorities and needs related to student outcomes
94 as determined by the State Board of Education, and [(3)] (C) provide
95 for the ongoing and systematic assessment and improvement of both
96 teacher evaluation and professional development of the professional
97 staff members of each such board, including personnel management
98 and evaluation training or experience for administrators, shall be
99 related to regular and special student needs and may include
100 provisions concerning career incentives and parent involvement. The
101 State Board of Education shall develop guidelines to assist local and
102 regional boards of education in determining the objectives of the plans
103 and in coordinating staff development activities with student needs
104 and school programs.

105 Sec. 503. (NEW) (*Effective July 1, 2014*) (a) The Department of
106 Education, in consultation with the after school committee established
107 pursuant to section 10-16v of the general statutes, may, within
108 available appropriations, administer a grant program to provide grants
109 to local and regional boards of education, municipalities and not-for-

110 profit organizations that are exempt from taxation under Section
111 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent
112 corresponding internal revenue code of the United States, as from time
113 to time amended, for summer learning programs that provide direct
114 services and for entities that provide support to summer learning
115 programs. For purposes of this section, "summer learning program"
116 means a program that provides a minimum of two hundred forty
117 hours of educational, enrichment and recreational activities during the
118 summer recess period for public schools and includes small group
119 instruction in literacy and math for children in grades kindergarten to
120 twelve, inclusive, and has a parental involvement component.

121 (b) (1) Applications for grants pursuant to subsection (a) of this
122 section shall be filed biennially with the Commissioner of Education at
123 such time and in such manner as the commissioner prescribes. As part
124 of the application, an applicant shall submit a plan for the expenditure
125 of grant funds.

126 (2) Eligibility for grants pursuant to this section shall be determined
127 for a two-year period and shall be based on the plan for expenditure of
128 grant funds. Prior to the payment of funds to the grant recipient for the
129 second year of the grant, the grant recipient shall report to the
130 Department of Education on performance outcomes of the program
131 and file expenditure reports pursuant to subsection (f) of this section.
132 The report concerning performance outcomes shall include, but not be
133 limited to, measurements of the impact on student achievement
134 including grade-level reading ability, childhood obesity and the
135 behavior of student participants.

136 (c) The Department of Education and the after school committee
137 established pursuant to section 10-16v of the general statutes shall
138 develop and apply appropriate evaluation procedures to measure the
139 effectiveness of the grant program established pursuant to this section.

140 (d) For purposes of carrying out the provisions of this section, the
141 Department of Education may accept funds from private sources and

142 from any state agency that is a member of the after school committee.

143 (e) The Department of Education shall provide grant recipients with
144 technical assistance, evaluation, program monitoring and professional
145 development. The department may retain up to four per cent of the
146 amount appropriated for the grant program for purposes of this
147 subsection.

148 (f) Grant recipients shall file expenditure reports with the
149 Commissioner of Education in accordance with subdivision (2) of
150 subsection (b) of this section and at such time and in such manner as
151 the commissioner prescribes. Grant recipients shall refund (1) any
152 unexpended amounts at the close of the program for which the grant
153 was awarded, and (2) any amounts not expended in accordance with
154 the approved grant application.

155 (g) Not later than March 15, 2017, and biennially thereafter, the
156 Department of Education shall report, in accordance with the
157 provisions of section 11-4a of the general statutes, to the joint standing
158 committee of the General Assembly having cognizance of matters
159 relating to education on performance outcomes of recipients of grants
160 under this section. The report shall include, but not be limited to,
161 measurements of the impact on student achievement including grade-
162 level reading ability, childhood obesity and the behavior of student
163 participants.

164 Sec. 504. Subsection (a) of section 10-151b of the 2014 supplement to
165 the general statutes is repealed and the following is substituted in lieu
166 thereof (*Effective from passage*):

167 (a) The superintendent of each local or regional board of education
168 shall annually evaluate or cause to be evaluated each teacher, and for
169 the school year commencing July 1, 2013, and each school year
170 thereafter, such annual evaluations shall be the teacher evaluation and
171 support program adopted pursuant to subsection (b) of this section.
172 The superintendent may conduct additional formative evaluations

173 toward producing an annual summative evaluation. An evaluation
174 pursuant to this subsection shall include, but need not be limited to,
175 strengths, areas needing improvement, strategies for improvement and
176 multiple indicators of student academic growth. Claims of failure to
177 follow the established procedures of such teacher evaluation and
178 support program shall be subject to the grievance procedure in
179 collective bargaining agreements negotiated subsequent to July 1, 2004.
180 In the event that a teacher does not receive a summative evaluation
181 during the school year, such teacher shall receive a "not rated"
182 designation for such school year. [The] Not later than September
183 fifteenth of each school year, the superintendent shall report on (1) the
184 status of teacher evaluations to the local or regional board of
185 education, [on or before June first of each year,] and (2) the status of
186 the implementation of the teacher evaluation and support program,
187 including the frequency of evaluations, aggregate evaluation ratings,
188 the number of teachers who have not been evaluated and other
189 requirements as determined by the Department of Education, to the
190 Commissioner of Education. [on or before June thirtieth of each year.]
191 For purposes of this section, the term "teacher" shall include each
192 professional employee of a board of education, below the rank of
193 superintendent, who holds a certificate or permit issued by the State
194 Board of Education.

195 Sec. 505. Subsection (a) of section 10-145p of the 2014 supplement to
196 the general statutes is repealed and the following is substituted in lieu
197 thereof (*Effective July 1, 2014*):

198 (a) The Department of Education shall review and approve
199 proposals for alternate route to certification programs for school
200 administrators. In order to be approved, a proposal shall provide that
201 the alternate route to certification program (1) be provided by a public
202 or independent institution of higher education, a local or regional
203 board of education, a regional educational service center or a private,
204 nonprofit teacher or administrator training organization approved by
205 the State Board of Education; (2) accept only those participants who

206 (A) hold a bachelor's degree from an institution of higher education
 207 accredited by the Board of Regents for Higher Education or Office of
 208 Higher Education or regionally accredited, (B) have at least forty
 209 school months teaching experience, of which at least ten school months
 210 are in a position requiring certification at a public school, in this state
 211 or another state, (C) have less than tenth months teaching experience
 212 in a public school in another state while holding professional
 213 certification, provided (i) such participant provides a statement of
 214 justification for participation in such alternate route to certification
 215 program and receives approval from the department for such
 216 participant's participation in such alternate route to certification
 217 program, and (ii) the number of such participants shall not be greater
 218 than ten per cent of the total number of participants in such alternate
 219 route to certification program for a school year, and [(C)] (D) are
 220 recommended by the immediate supervisor or district administrator of
 221 such person on the basis of such person's performance; (3) require each
 222 participant to (A) complete a one-year residency that requires such
 223 person to serve (i) in a position requiring an intermediate
 224 administrator or supervisor endorsement, and (ii) in a full-time
 225 position for ten school months at a local or regional board of education
 226 in the state under the supervision of (I) a certified administrator, and
 227 (II) a supervisor from an institution or organization described in
 228 subdivision (1) of this subsection, or (B) have ten school months
 229 experience in a full-time position as an administrator in a public or
 230 nonpublic school in another state that is approved by the appropriate
 231 state board of education in such other state; and (4) meet such other
 232 criteria as the department requires."

This act shall take effect as follows and shall amend the following sections:		
Sec. 8	July 1, 2014	10-221q(a)
Sec. 501	July 1, 2014	New section
Sec. 502	July 1, 2014	10-220a(b)
Sec. 503	July 1, 2014	New section
Sec. 504	from passage	10-151b(a)

Sec. 505	<i>July 1, 2014</i>	10-145p(a)
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